REMARKS

Claims 1-7, 9-18, 20-25, and 27 are pending in the present application. Reconsideration is respectfully requested for the following reasons.

Allowance of claims 20-24 is gratefully acknowledged.

Claims 9 and 12-14 were objected to, but were indicated to be allowable if re-written to include their base claim and any intervening claims. These claims have been properly rewritten, and are now in condition for allowance.

Claims 1-7 and 10-11 have been amended to be dependent on one of the allowable claims above. Accordingly, claims 1-7 and 10-11 are also in condition for allowance.

The Examiner objected to the drawings for not showing some features. These features are shown, as discussed below. The "Y-shaped" members are the frame members 27, 28, 32 (see Fig. 16, and also the specification, page 12, lines 8-9). This disclosure has been clarified by the additional sentence added to the specification. No new matter has been introduced by this statement, as is apparent from the drawings and original specification.

The Examiner also objected to three related things, those being "How the top ends of the bottom frame, at the corners, are disconnected to form an opening at the door" and "the doorway" and "the corner edges coming together at the corner". All of these are shown in Fig. 10, and the ability to open a corner of the frame is shown in Fig. 5. The specification supports the disclosure of Fig. 10 (and Fig. 5) by the discussion in paragraph [0062], on page 11, last three lines of that paragraph. Perhaps the opening along a vertical side edge of the bottom fabric 21 could be better shown in Fig 9. However, the tube section 25 could be installed in Fig. 9 such that the door opening is held closed, or alternatively, the door opening could be under the hunter's right hand or left arm. It shouldn't matter, because the teaching is clear. Nonetheless, if the Examiner would prefer that Fig. 9 be modified to more clearly show an opening at the vertical side edge and (left) corner of the bottom fabric 21, please indicate the same in the next Office Action. It is noted that, where the tube section 25 is frictionally

disengaged from the top of the bottom frame members 22 and 23, but left connected near the ground (and even if it is also disconnected at the ground), the bottom scissor frame 22/23 will still function during expansion and collapse with a scissor-like action as described in the specification paragraphs [0068] and [0069], and as shown in Figs. 7-12.

The reference number "30" has been deleted from the specification. The text now agrees with the drawings, including Fig. 16. Accordingly, no drawing change is required.

The specification, paragraph [0063] has been amended to more clearly define the "Y-shaped" members.

Claim 14 has been amended to include the word "a" before the word "stake".

The 112 items in claims 10 and 25 have been addressed by making claim 10 dependent on claim 9, and by amending claim 25 to provide antecedent basis.

As noted above, allowance of claims 20-24 is gratefully acknowledged. Claims 9, 12-14 have been properly amended to independent form, and claims 1-8 and 10-11 are dependent on an allowable claim.

Claim 15 defines an erectable structure including a top apparatus and a bottom apparatus where, among other things, the top apparatus has "a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a dome-shaped roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, . . ." Beavers 3,810,482 does not include a "dome-shaped roof", and does not include a top internal frame with jointed frame members arranged with joints to move overcenter. Therefore, Beavers '482 cannot anticipate the present invention as defined in claim 15. Further, there is no disclosure or suggestion within Beavers concerning moving a joint overcenter, nor creating a joint capable of moving overcenter, nor of any advantage in moving a joint overcenter. Also, it would be very difficult if not impossible to erect (or collapse) the tent in Beaver without laying it on the ground.

Contrastingly, as defined in claim 15, the present apparatus is constructed to be able to do so without laying it o the ground. Accordingly, claim 15 distinguishes over Beavers '482, and is allowable.

Claim 17 defines an erectable structure including a top apparatus and a bottom apparatus where, among other things, the top apparatus has "a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a dome-shaped roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, wherein the top internal frame includes peak frame members pivotally interconnected to each other to form a peak that characteristically does not require and does not include a center post extending to the ground that obstructs a center of the bottom apparatus." Claim 17 further defines the top internal frame as including a peak drawstring operably connected to the top internal frame and a retainer for holding the peak drawstring once tensioned such that, when tensioned, the retainer holds the peak frame members in an outward position. Snyder 1,666,757 discloses frame members fixed with joint sleeves 20, or with bent over tongues 30, or with stops 37. Smith 2,864,389 discloses a tent where rods 16 are bowed outward upon erection of the tent. The reference patents do not individually include all claim elements of claim 17, and therefore they cannot anticipate the invention of claim 17. Further, it would require considerable effort and redesign to combine the teachings and disclosure of the two tents of Snyder and Smith and there is no such teaching or suggestion in either patent. Further, Smith in one form uses a center post (see the second embodiment of Figs. 9-10), which teaches away from the present apparatus. Therefore, claim 17 is allowable over the cited art.

Claim 18 defines an erectable structure including a top apparatus and a bottom apparatus where, among other things, the top apparatus has "a top internal frame and a flexible

top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members (. . . with . . .) joints movable overcenter to an expanded position to form a roof over the geometric shape . . .". The top internal frame further includes "a repeating pattern of oppositely angled top frame members and an associated peak frame member pivotally interconnected to form a repeating inverted "Y" shape, the top frame members being pivoted to the bottom internal frame, and pivoted to each other, and pivoted to the associated peak frame member at an overcenter joint for movement between the collapsed and expanded positions, the angled and associated frame members moving overcenter when moved between the collapsed and expanded positions; the angled and associated frame members, when in the expanded position, each having an upper surface that engages and supports the top cover along a full length of the angled and associated frame members." Snyder does not disclose or suggest a top internal frame having a repeating inverted Y shape defined by angled and associated frame members that each have "an upper surface that engages and supports the top cover along a full length of the angled and associated frame members". Instead, only some of the frame members in Snyder actually engage his top cover. There is no disclosure or suggestion to make such a modification based on Snyder. Accordingly, claim 18 is in condition for allowance.

Claims 25 defines method of quickly collapsing a structure comprising steps of, among other things, "providing an expandable/collapsible bottom apparatus and an expandable/ collapsible top apparatus, the bottom apparatus including a scissor frame with top and bottom edges and a side and further including a near corner and two far corners, the top and bottom apparatus both being in an expanded position; lowering and collapsing the top apparatus from the expanded position where the top apparatus acts as a roof over a geometric top shape to a storage position within the bottom apparatus; and collapsing the bottom apparatus from the expanded position where the bottom apparatus forms an expanded geometric wall shape to a collapsed position while standing outside the bottom apparatus by grasping the two far corners and moving them to positions close to the near corner in a manner causing the scissor frame to collapse and form a smaller geometric wall shape; the bottom apparatus, when collapsed,

surrounding the top apparatus. Beaver '482 discloses a tent having pivotally collapsible frame members in its bottom portion and in its top portion. However, there is no way that the tent disclosed by Beaver '482 can be collapsed as defined in claim 25, where the bottom apparatus collapses onto the top apparatus, surrounding the same by " while standing outside the bottom apparatus, grasping the two far corners and moving them to positions close to the near corner". Instead, Beaver requires that a person get inside the tent and draw the center connectors 22 inwardly and at the same time hold up the tent and fold the lower/outer portions together. This is a very cumbersome and awkward way manner of collapse, and is contrary to the language of the claim 25, which focuses on how the scissor frame works to provide a very controlled collapse. Accordingly, claim 25 is allowable.

Claim 26 was canceled.

Claims 27 defines an erectable structure including, among other things, a top apparatus and a bottom apparatus, "the top and bottom covers defining a slit extending completely around the structure, and including several retainers for holding a selected portion of the slit open to provide a long horizontal opening for viewing out of the structure." The cited art does not disclose or suggest a tent having any such feature. Accordingly, claim 27 is believed to be in condition for allowance.

Accordingly, all claims are believed to be in condition for allowance and a Notice of Allowability is earnestly solicited.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page(s) is captioned "**Version with Markings to Show Changes Made**".

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the specification:

Please replace paragraph [0063] on page 12, with the following rewritten paragraph:

--[0063] Fig. 3 is a copy of Fig. 2, but part of the top frame is added. The rest of the top frame is added in Fig. 4. The top of blind 20 includes two angled cross supports 27 and 28 on each side (Fig. 3). The bottoms of each cross support 27 and 28 on each adjacent side are connected to each other by a resilient tube section 29 (Fig. 5) and the top of each cross support 27 and 28 on the same side is connected by another resilient tube section 29. The tube section 29 connecting the bottoms of cross supports 27 and 28 is attached to a top tube section 25 on the sidewalls by a band or clip 31 (see Figs. 5 and 16). Peak supports 32 extend from tube sections [30] 29. Each peak support 32 includes a bottom end flexibly attached to a center of the top tube section [30] 29 by a clip (*e.g.* band 31) or screw fastener (or by an bent wire member similar to piece 33), and flexibly attached at a top end with an end piece 33. (Notably, the same end piece 33 can be used on both ends of peak support 32.) The illustrated end piece 33 includes a coiled wire end 34 that fits onto and frictionally engages a top end of the dowel support 32 and a hook end 35. The hook end 35 engages a retainer ring 36. Truss members 37 are bent wires with a first end 38 pivoted to the peak support 32 a few inches (such as about 7.5") from the peak, and with an arcuate hook 39 pivoted to a hub piece 40. The supports 27, 28, and 32 are wood dowel having a diameter of ½" and a length of 29". The supports 27, 28, and 32 are interconnected at a center point by tube sections 29 (Fig. 16) to form a series of adjacent Y-shaped subframes around and under the top fabric 41, with the center point moving overcenter as the subframe is flexed between a collapsed position (Figs. 9-10) and an expanded use position (Figs. 11, 16, 17). In the expanded use position, the Y-shaped subframes engage and support the top fabric 41. The length of 29" has been found to be surprisingly and unexpectedly important since this length, in combination with the other

lengths and in the pentagon arrangement allows the top portion to fold over-center between the storage position within the bottom scissor frame 22/23 (see Figs. 7-8) and to the raised use position above the erected scissor frame 22/23 (see Figs. 11, 12, and 17). It is noted that the angled supports 27 and 28 can be made of a continuous plastic strip notched at each corner to define an integral hinge, with the continuous plastic strip extending in a zigzag pattern completely around the top portion, and with every second corner being attached to the bottom scissor frame 22/23, and with the remaining corners being attached to that bottom end of the peak supports 32.

In the claims:

Kindly cancel claims 8, 16, 19, and 26 without prejudice.

Kindly amend claims 1, 4, 6, 9, 10, 12, 13, 14, 15, 17, 18, and 25, and add new claim 27, as follows:

1. (Amended) [An erectable] The structure [comprising:] defined in claim 20, including an expandable/collapsible bottom apparatus having a bottom internal frame supporting the top apparatus, and including a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage, [; and

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus.]

2. The structure defined in claim 1, wherein the top internal frame is positioned completely within bottom internal frame when in the collapsed position.

3. The structure defined in claim 1, wherein the top and bottom apparatus are interconnected and characteristically do not include loose pieces.

4. (Amended) The structure defined in claim [1] 20, wherein the top apparatus forms a roof that is dome-shaped and outwardly concave, such that the top apparatus simulates an umbrella shape.

5. The structure defined in claim 1, wherein the top and bottom apparatus have a total height and size comparable to a golf bag when collapsed, such that the structure can be easily stored in a vehicle trunk.

6. (Amended) The structure defined in claim [1] 20, wherein the jointed frame members of the top apparatus include an intermediate joint that moves overcenter when the top frame is moved between the collapsed and expanded positions.

7. The structure defined in claim 1, wherein the bottom internal frame includes a crisscrossing pattern of pivotally interconnected pairs of frame members that form repeating "X" shapes.

8. Canceled.

Same as before IVO 4,777,755

9. (Amended) [The structure defined in claim 1] An erectable structure comprising:

an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being

expandable to form a geometric shape having sides and being collapsible for compact storage; and

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, wherein the top cover includes a downwardly hanging lower edge and holding arrangement for lifting the lower edge partially upwardly to form windows around the top apparatus.

10. (Amended) The structure defined in claim [1] 9, wherein the holding arrangement includes a drawstring operably connected to the top internal frame and connected to the lower edge.

11. The structure defined in claim 1, wherein the bottom internal frame, when expanded, forms a free-standing, self-supporting structure that is stable, even when positioned on uneven ground.

12. (Amended) [The structure defined in claim 1] An erectable structure comprising:

an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage; and

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed

frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, wherein the bottom cover of the bottom apparatus includes edges that come together at a corner of the bottom apparatus and that form a door into the structure, the bottom internal frame including bottom frame members having top and bottom ends that are pivotally interconnected to form a scissor frame, at least the top ends of the bottom frame members at the corner being disconnected to form an opening at the door.

Same as before IVO 4,129,139 or 5,010,909

13. (Amended) [The structure defined in claim 1] An erectable structure comprising:

an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage; and

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, including a carrying IVO sleeve shaped to telescopingly receive and hold the erectable structure when collapsed, the sleeve including a shoulder strap to facilitate carriage of the structure.

14. (Amended) [The structure defined in claim 1] An erectable structure comprising:

an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being

expandable to form a geometric shape having sides and being collapsible for compact storage; and

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, wherein the bottom internal frame includes bottom frame members and further includes a stake pivotally attached to one of the bottom frame members and the bottom cover, the stakes being movable between a use position oriented toward a ground surface and a storage position oriented away from the ground surface, and including a holder for holding the stakes in the storage position.

Repeat as before make changes indicated on old action.

15. (Amended) [The structure defined in claim 1] An erectable structure comprising:

an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage; and

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a dome-shaped roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, wherein the bottom cover has a bottom edge for contacting a ground surface and the bottom internal frame has bottom frame members with ground-engaging ends, and wherein the top and bottom apparatus are constructed so that

nothing other than the bottom edge and the ground-engaging ends contact the ground surface during erection, use, collapsing, and carrying the erectable structure.

16. Canceled.

17. (Amended) [The structure defined in claim 17] An erectable structure comprising:

an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage; and

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a dome-shaped roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, wherein the top internal frame includes peak frame members pivotally interconnected to each other to form a peak that characteristically does not require and does not include a center post extending to the ground that obstructs a center of the bottom apparatus, wherein the top internal frame includes secondary frame members that are pivotally connected to the peak frame members at a location spaced from the peak, and including a peak drawstring connected to a pull knob and to the peak, and still further including a retainer for holding the peak drawstring once tensioned, such that, when tensioned, the retainer holds tension on the peak drawstring and thus holds the peak frame members in an outward position when the top apparatus is in the expanded position.

18. (Amended) [The structure defined in claim 1] An erectable structure comprising:

an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage; and

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable overcenter to an expanded position to form a roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus, wherein the top internal frame includes a repeating pattern of oppositely angled top frame members and an associated peak frame member pivotally interconnected to form a repeating inverted "Y" shape, the [Y-angled] top frame members being pivoted to the bottom internal frame, and pivoted to each other, and pivoted to the associated peak frame member at an overcenter joint for movement between the collapsed and expanded positions, the angled and associated [peak] frame members moving overcenter when moved between the collapsed and expanded positions; the angled and associated frame members, when in the expanded position, each having an upper surface that engages and supports the top cover along a full length of the angled and associated frame members.

19. Canceled.

20. A quickly erectable structure comprising:

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover attached to and supported by the top internal frame for movement between an expanded position and a collapsed position, the top internal frame including rigid top frame members pivotally attached together to define a peak where the top frame members extend radially from

the peak, the top internal frame further including rigid right/lower and left/lower frame members pivotally attached to a bottom of each one of the top frame members at an overcenter joint, the right/lower and left/lower frame members forming an inverted "Y" shape with the associated top frame member when in the expanded position but forming a dense stack of substantially parallel frame members when in the collapsed position, a lower end of each right/lower frame member being pivotally attached to a lower end of the next adjacent one of the left/lower frame members so that, when expanded, the right/lower and left/lower frame members form a zigzag pattern around and spaced from the peak; and

a releasable support structure attached to the peak and each of the top frame members for selectively holding the top apparatus in the expanded position.

21. A quickly erectable structure comprising:

an expandable/collapsible apparatus having a plurality of interconnected X-shaped subframes that combine to form a telescoping scissor frame, a plurality of inverted Y-shaped subframes attached together and to a top of the telescoping scissor frame that combine to form an overcenter scissor frame attached across a top of the telescoping scissor frame, and flexible covers attached thereto;

the apparatus being positionable in a storage position where the telescoping scissor frame is collapsed into a compact cylindrical shape with the Y-shaped subframes positioned within the compact cylindrical shape, and positionable in a partially-expanded position where the telescoping scissor frame is expanded to define a self-supporting fence-like geometric wall with the Y-shaped subframes positioned within the wall but not raised up, and positionable in a fully-expanded position where the Y-shaped subframes are raised above the geometric wall to define a dome over the geometric wall.

22. The quickly erectable structure defined in claim 21, wherein the Y-shaped subframes are removably attached to the X-shaped subframe.

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23. A method of quickly erecting a structure comprising steps of:

providing an expandable/collapsible bottom apparatus and integrally attached expandable/collapsible top apparatus, the bottom apparatus including a near corner and two far corners;

obr.

grasping and throwing the far corners away from the near corner of the bottom apparatus to expand the bottom apparatus to a geometric wall shape; and

grasping and lifting the top apparatus to expand the top apparatus to form a roof over the geometric shape.

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24. The method defined in claim 23, wherein the step of grasping and throwing and the step of grasping and lifting are separate and independent steps.

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25. (Amended) A method of quickly collapsing a structure comprising steps of:

providing an expandable/collapsible bottom apparatus and an expandable/ collapsible top apparatus, the bottom apparatus including a scissor frame with top and bottom edges and a side and further including a near corner and two far corners, the top and bottom apparatus both being in an expanded position;

lowering and collapsing the top apparatus from the expanded position where the top apparatus acts as a roof over [the] a geometric top shape to a storage position within the bottom apparatus; and

collapsing the bottom apparatus from the expanded position where the bottom apparatus forms [a] an expanded geometric wall shape to a collapsed position by, while standing outside the bottom apparatus, grasping the two far corners and moving them to positions close to the near corner in a manner causing the scissor frame to collapse and form a smaller geometric wall shape;[,] the bottom apparatus, when collapsed, surrounding the top apparatus.

26. Canceled.

27. (New) An erectable structure comprising:

an expandable/collapsible bottom apparatus having a bottom internal frame and a flexible bottom cover supported by the bottom internal frame, the bottom apparatus being expandable to form a geometric shape having sides and being collapsible for compact storage; and

an expandable/collapsible top apparatus having a top internal frame and a flexible top cover supported by the top internal frame, the top internal frame having a plurality of radially-extending jointed frame members arranged in an umbrella-simulating arrangement, the jointed frame members being integrally attached to and supported by the bottom internal frame and having joints movable to an expanded position to form a roof over the geometric shape and movable to a collapsed position in the bottom internal frame for compact storage as a unit with the bottom apparatus;

the top and bottom covers defining a slit extending completely around the structure, and including several retainers for holding a selected portion of the slit open to provide a long horizontal opening for viewing out of the structure.